IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

WP(C).No. 4014 of 2005(C)

PETITIONER:

SHEGY ABDULLA, AGED 34 YEARS,
S/O.BABU, RESIDING AT 11/100,
MANADATH HOUSE, SUB JAIL ROAD, ALUVA.

BY ADV. SRI.S.SHANAVAS KHAN.

RESPONDENTS:
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1. **THE DEPUTY SUPERINTENDENT OF POLICE,**
   ALUVA.

2. **THE CHIEF ENVIRONMENTAL ENGINEER,**
   KERALA STATE POLLUTION CONTROL BOARD,
   REGIONAL OFFICE, KOCHI.

3. **THE DIRECTOR, FAITH HOME,**
   11/99, PENTACOSTAL MISSION,
   SUB JAIL ROAD, ALUVA.

BY ADV. SRI.M.K. CHANDRAMOHAN DAS,
SRI.M.R.NANDAKUMAR,
SRI.PAUL ABRAHAM VAKKANAL,
SRI.T.K.RAJESHKUMAR.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.4014/2005:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE CIRCULAR NO. 17/02, DTD. 05/12/02, ISSUED BY D.G.P.

EXT.P.2: COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE R.1.

EXT.P.3: COPY OF THE REPRESENTATION DTD. 18/01/05 FILED BY THE PETITIONER BEFORE THE R.2.

//TRUE COPY//

prv.

Thottathil B. Radhakrishnan, J.

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W.P.(C)No.4014 of 2005

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Dated this the 5th day of March, 2007.

JUDGMENT

Learned Government Pleader submits, on instructions, that Ext.P2 was enquired into and it has been noticed that no drums are used during prayer times and that amplifiers also are not used now. Whatever that be, matters relating to sound pollution should gain the attention of the Pollution Control Board.

2. In the aforesaid circumstances, this writ petition is disposed of directing that Ext.P3 will be taken up by the competent authority, according to the parties, the Pollution Control Board, and a final decision shall be taken in the matter within a period of one month from the date of receipt of a copy of this judgment. Any decision of the Pollution Control Board shall also be intimated to

the Superintendent of Police and the police station within the limit of which the third respondent comes. The said officer shall ensure that directions of the Environmental Engineer are complied with.

Thottathil B.Radhakrishnan,
Judge.

sl.